

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

OLIVIA Y., ET AL

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the  
State of Mississippi, et al.

DEFENDANTS

VIDEOTAPED DEPOSITION OF CHARLES RICKIE FELDER

Taken at the law offices of  
Bradley, Arant, Rose & White, LLP,  
188 East Capital Street  
Jackson, Mississippi, on  
Thursday, April 5, 2006,  
beginning at 8:37 a.m.

REPORTED BY:

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<p style="text-align: right;">Page 38</p> <p>1 A. Reports, monthly reports.</p> <p>2 Q. And what was the situation that the</p> <p>3 monthly reports were reflecting?</p> <p>4 A. The length of time to initiate</p> <p>5 investigations, foster care review issues,</p> <p>6 number of placements, children in custody the</p> <p>7 last 15 or 22 months, open investigations,</p> <p>8 inactive cases, emergency shelters...that's just</p> <p>9 a few off the top of my head.</p> <p>10 Q. Did you determine that any of these</p> <p>11 situations endangered the safety and well-being</p> <p>12 of children?</p> <p>13 MS. RACHAL:</p> <p>14 Objection to form.</p> <p>15 (To the witness) Answer.</p> <p>16 THE WITNESS:</p> <p>17 (To Ms. Rachal) Okay.</p> <p>18 THE WITNESS:</p> <p>19 A. No.</p> <p>20 MR. THOMPSON:</p> <p>21 Q. So when you became division director</p> <p>22 and reviewed these reports, you didn't have any</p> <p>23 concerns as to the safety and well-being of</p> <p>24 children?</p> <p>25 A. I did have concern about safety and</p>	<p style="text-align: right;">Page 40</p> <p>1 meet our goals and objectives. These reports</p> <p>2 are objectives.</p> <p>3 Q. How so?</p> <p>4 A. They are -- can you be more clear?</p> <p>5 Q. I guess I'm asking you to clarify your</p> <p>6 response when you testified that these reports</p> <p>7 are objectives. What do you mean?</p> <p>8 A. Do you know what an objective is?</p> <p>9 Q. I do. In this context, what do you</p> <p>10 mean these reports are objectives?</p> <p>11 A. An objective is measurable, it's a</p> <p>12 measurable goal that were established prior to</p> <p>13 me becoming director.</p> <p>14 Q. And when you became division director</p> <p>15 and reviewed these reports, did it become clear</p> <p>16 to you that the division was failing to meet</p> <p>17 certain measurable goals?</p> <p>18 A. Yes.</p> <p>19 Q. All right. Now, Mr. Felder -- and was</p> <p>20 it your opinion at that time that the failure to</p> <p>21 meet these measurable goals was endangering the</p> <p>22 safety and well-being of children?</p> <p>23 A. I don't know.</p> <p>24 Q. You didn't have an opinion as to that?</p> <p>25 A. Concerned.</p>
<p style="text-align: right;">Page 39</p> <p>1 well-being of children.</p> <p>2 Q. I guess that wasn't my question. Let</p> <p>3 me be more -- I apologize. Let me be clearer.</p> <p>4 Reviewing these reports, did you identify any</p> <p>5 problems they gave you, specific concern, about</p> <p>6 the safety and well-being of children?</p> <p>7 A. Yes.</p> <p>8 Q. And what were those problems?</p> <p>9 A. These reports again, lack of</p> <p>10 fulfilling timeliness, 24-hour investigations,</p> <p>11 length of time children stay in emergency</p> <p>12 shelters, monthly visits -- at that time, it was</p> <p>13 30-day visits -- with children. Those are</p> <p>14 examples.</p> <p>15 Q. You testified previously that</p> <p>16 Mr. Taylor wanted a strong leader at the</p> <p>17 division. What did you see your role being in</p> <p>18 terms of a strong leader at the division?</p> <p>19 A. To get the job done.</p> <p>20 Q. And, as you understood it, what was</p> <p>21 the job that needed to get done?</p> <p>22 A. Again, ensuring that the services that</p> <p>23 are providing -- that we're providing to the</p> <p>24 State of Mississippi, that we're maximizing all</p> <p>25 resources to provide quality services and to</p>	<p style="text-align: right;">Page 41</p> <p>1 Q. Would you say you identified at least</p> <p>2 a risk to the safety and well-being of children?</p> <p>3 A. Yes.</p> <p>4 Q. Now, Mr. Felder, you testified to some</p> <p>5 experience in management consulting. When you</p> <p>6 assumed the position of division director, can</p> <p>7 you tell me what your management priorities were</p> <p>8 at that time?</p> <p>9 A. First is to stabilize in determining</p> <p>10 where you are, where the division was, current</p> <p>11 status; second was to determine where we should</p> <p>12 be; and last is, how do you get there.</p> <p>13 Q. And in determining where the agency</p> <p>14 should be, did you refer to DHS policy?</p> <p>15 A. Yes.</p> <p>16 Q. Well, were there any other standards,</p> <p>17 either -- well, strike that.</p> <p>18 Did you refer to federal laws as to</p> <p>19 child welfare?</p> <p>20 A. Yes.</p> <p>21 Q. Did you refer to Mississippi law as to</p> <p>22 child welfare?</p> <p>23 A. Yes.</p> <p>24 Q. Were there any other professional</p> <p>25 standards in the field of child welfare that you</p>